

**PATENT**

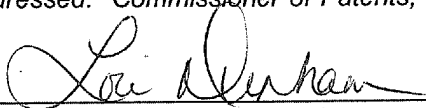
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Boyle, et al. CUSTOMER NO.: 29,335  
Serial No.: 09/716,146 AU: 3738  
Filed: 11/17/00 CONFIRMATION NO.: 6734  
EXAMINER: Cheryl Miller  
For: Device for In Vivo Delivery of Bioactive Agents and Method of Manufacture  
Thereof

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF ELECTRONIC FILING**

*I hereby certify that this Supplemental Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being transmitted on this the 5<sup>th</sup> day of October, 2007 addressed: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.*

  
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Lori Dunham

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**1. Preliminary statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56 it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

## 2. Identification Of Time Of Filing

This Information Disclosure Statement

*(check and complete (a), (b), (c), (d), or (e))*

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR 1.97 (a)
- (b) ☐ is filed within three months after the filing date of the application or prior to the mailing date of the first Office action, whichever is later. 37 CFR 1.97(b)
- (c) ☐ is being filed after the time period specified in §1.97(b), but before mailing of a final action under §1.113, a Notice of Allowance under §1.311, or and action that otherwise closes in the application (37 C.F.R. §1.97(c)) and is accompanied by:
- ☐ Statement under 37 CFR §1.97(e); or
- ☐ Fee under 37 CFR §1.17(p);
- (d) ☒ is being filed after the time period specified in §1.97(c), but before payment of the issue fee (37 C.F.R. §1.97(d)) and is accompanied by:
- ☐ Statement under 37 CFR §1.97(e); and
- ☒ Fee under 37 CFR §1.17(p);
- ☒ The Commissioner is authorized to deduct the Fee under 37 CFR §1.17(p) from Deposit Account 18-2000.
- (e) ☒ is a supplemental Information Disclosure Statement under 37 CFR 1.97
- ☒ a previous Information Disclosure Statement was filed on December 6, 2002 and September 11, 2006
- ☐ this supplemental Information Disclosure Statement is being submitted as the information was brought to attention
- ☒ The art was encountered in the course of the prosecution of a corresponding foreign application(s) in
- Japanese Patent Application No. 2002-560697**
- (name(s) of country(ies) and serial number(s))